

REMARKS

Claims 1 - 20 are pending in the instant patent application.

CLAIM REJECTIONS

35 U.S.C. §103 Rejections

Claims 1, 2, 11, 12, 15, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joshi et al. U.S. Patent No. 6,532,427 (hereinafter Joshi) in view of Hsiung et al. (US Patent 6,853,920). Applicants have reviewed the cited references, and respectfully assert that the embodiments of the present invention as recited in Claims 1, 2, 11, 12, 15, and 16 are neither anticipated nor rendered obvious by the Joshi or Hsiung references, either alone or together in combination.

The Response to Arguments Section alleges the previous remarks argued against the references individually. Applicants respectfully assert they argued against the references alone and together in combination do not teach or suggest the present invention. The response to Arguments Section alleges the use of a hyperlink as taught by Joshi at column 4 lines 1- 5 means that the user is provided with an electronic document from which to make a selection of performance parameter from which an

analysis is returned via another electronic document. To the extent the Joshi reference may mention the user can indicate with data is viewed [Col. 4 lines 1-5], Applicants respectfully assert the Joshi reference does not teach allowing a user to select a performance measure (emphasis added) to be analyzed. In addition, Applicants respectfully assert the Joshi reference teaches away by indicating a selection is limited to a file containing bad data and a comma-separated variables file without permitting the user to select which performance measures are associated with the files and/or variables.

Applicants respectfully reassert arguments presented in the previous response. The present Office Action acknowledges that the Joshi reference does not teach transferring in response to a user request to a web site operable to access an enterprise wide business data and to provide statistical analysis of the enterprise wide business data. Applicants respectfully assert the Hsuing reference does not overcome these and other shortcomings of the Joshi reference.

Applicants respectfully assert the Hsuing reference does not teach the elements of Claim 1. The Examiner is respectfully directed to independent Claim 1, which recites that an embodiment of the present invention is directed to a method of presenting an analysis of enterprise wide business data, comprising the steps of:

- a) in response to a user request to a web site operable to access said enterprise wide business data and to provide statistical analysis of said enterprise wide business data, transferring an electronic document to said user, wherein said electronic document allows said user to select a performance measure to be analyzed (emphasis added) for a data set in said enterprise wide business data;
- b) in response to a request from said user, performing a statistical analysis of said performance measure (emphasis added); and
- c) transferring an electronic copy of said statistical analysis to said user.

To the extent the Hsuing reference may mention a process may be monitored and/or controlled by comparing the current state of a first process to current, historical and/or predicted states of the first process or second process using statistical, structural, or physical models [Col. 1 lines 20 – 25], Applicants respectfully assert that the Hsuing reference does not teach or suggest, either expressly or inherently, in response to a user request to a website ... allows said user to select a performance measure to be analyzed for a data set in said enterprise wide business data; in response to a request from said user, performing a statistical analysis of said performance measure... .

The Response to Arguments Section of the present Office Action alleges the Hsuing reference teaches selecting a univariate statistical technique and the univariate statistical technique is a performance measure. To the extent the Hsuing reference may mention a model is constructed utilizing an approach such as a univariate statistical technique, Applicants respectfully assert the Hsuing reference does not teach a user selects a performance measure (emphasis added) to be analyzed. To the extent a

univariate statistical technique may be utilized as a technique to analyze a performance measure [Col. 16 lines 15 – 21], Applicants respectfully assert the Hsuing reference does not teach selection of the performance measure (emphasis added). The present Office Action also alleges the Hsuing reference also teaches returning the analysis based upon the selected statistical technique (univariate or multivariate). Even if the Hsuing reference could be interpreted to indicate the analysis is based upon a selected statistical technique Applicants respectfully assert the Hsuing reference does not teach a user selects a performance measure analyzed by the technique. The present Office Action presents substantially the same rejections. Applicants again respectfully reassert the previous remarks and respectfully request the Examiner to reconsider.

To the extent the Hsuing reference may mention a user can have an intimate role with the system carefully monitoring incoming process data and selecting a course of action [Col. 7 lines 62 to Col. 8 line 2], Applicants respectfully assert the Hsuing reference does not teach allowing a user to select performance measures to be analyzed from an electronic document generated in response to a user request to a website. In addition, Applicants respectfully assert the Hsuing reference teaches away by indicating the process is monitored an/or controlled based upon a descriptor predicted by a model [Col. 2 lines 58 – 67]. Applicants respectfully assert that controlling by a model is substantially different from the present invention which allows a user to select

performance measures to be analyzed from an electronic document generated in response to a user request to a website. In addition, to the extent the Hsuing reference may mention a process is monitored and/or controlled based upon descriptor predicted by a model, Applicants respectfully assert the Hsuing reference does not teach accessing enterprise wide business data nor statistical analysis of enterprise wide business data.

Therefore, Applicants respectfully assert that both the Joshi and/or Hsuing references fail to anticipate or render obvious Claim 1, alone or together in combination, and as such, Claim 1 overcomes the rejection under 35 U.S.C. 102(e). Accordingly, the Applicants also respectfully assert that Joshi does not anticipate or render obvious the embodiments of the claimed invention as recited in Claims 2-10 which depend upon allowable dependent on Claim 1, and that Claims 2-10 overcome the rejection under 35 U.S.C. 102(e) through dependency on an allowable base claim.

The present Office Action alleges the Applicant's arguments regarding claims 2-10, 13 and 17 – 20 amount to a general allegation that the claims define a patentable invention. Applicants respectfully assert it is a long standing principle that claims depending from an allowable independent claim are also allowable. Applicants respectfully assert 35 CFR 1.75 (c) indicates that dependent claims include the limitations of independent claims. Applicants respectfully assert that the remarks and

arguments regarding the independent Claims overcome the cited references and therefore the dependent Claims include the allowable elements.

Claims 11 and 12

The Examiner is respectfully directed to independent Claim 11, which recites that an embodiment of the present invention is directed to an Internet-based system comprising:

a database comprising business data from across an enterprise;
a computer system operable to access said database, to perform a statistical analysis of said business data, to receive user-generated requests via the Internet for execution of a user-defined statistical analysis of a user selected performance measure, to deliver a Hyper-Text Markup Language document via the Internet to an Internet node in response to said user-generated analysis requests, wherein said Hyper-Text Markup Language document contains a graphical display of said statistical analysis such that the statistical variance of said performance measure is viewable as a web-page.

Claims 12-14 depend from independent Claim 11 and recite further limitations of the claimed invention.

The present Office Action alleges Claims 11 and 12 recite substantially the same limitations as that of claims 1, 15, and 16 and hence the same rejection applies. To the extent there may be similarities of Claims 11 and 12 to Claims 1, 15, and 16, Applicants respectfully reassert the arguments above. In addition, Applicants respectfully assert

that the Joshi and/or Hsuing references do not teach or suggest, either expressly or inherently, a computer system operable to access a database, to perform a statistical analysis of business data, to receive user-generated requests via the Internet for execution of a user-defined statistical analysis of a user selected performance measure, to deliver a Hyper-Text Markup Language document via the Internet to an Internet node in response to said user-generated analysis requests.

Applicants respectfully assert that both the Joshi and Hsuing references fail to anticipate or render obvious Claim 11, and as such, Claim 11 overcomes the rejection under 35 U.S.C. 102(e), and Applicants assert this claim is in condition for allowance. Accordingly, the Applicants also respectfully assert that Joshi does not anticipate or render obvious the embodiments of the claimed invention as recited in Claims 12-14 dependent on Claim 11, and that Claims 12-14 overcome the rejection under 35 U.S.C. 102(e) through dependency on an allowable base claim.

Claims 15 and 16

The Examiner is respectfully directed to independent Claim 15, which recites that a method of implementing a business intelligence system in a distributed computing environment, comprises:

- a) in response to a user-generated request received from a peripheral computer system, a host computer system transferring an electronic document to said peripheral computer system, wherein said electronic document has selectable fields for a plurality of dimensions to select a data set accessible by said host computer system;
- b) in response to a user-generated request received from said peripheral computer for a statistical analysis of a user selected performance measure for said data set, said host computer system performing said statistical analysis

Claims 16-20 depend from independent Claim 15 and recite further limitations of the claimed invention.

Applicants respectfully assert that neither the Joshi nor Hsiung references teach or suggest, either expressly or inherently, in response to a user-generated request received from said peripheral computer for a statistical analysis of a user selected performance measure for said data set, the host computer system performing said statistical analysis, as recited in Claim 15. The present Office Action acknowledges the Joshi reference does not teach a user selected performance measure. As discussed above, to the extent the Hsiung reference may mention a user can have an intimate role with the system carefully monitoring incoming process data and selecting a course of a course of action [Col. 7 lines 62 to Col. 8 line 2], Applicants respectfully assert the Hsiung reference does not teach a user-generated request received from said peripheral computer for a statistical analysis of a user selected performance measure for said data set.

Therefore, Applicants respectfully assert that both the Joshi and Hsuing, alone or together in combination, fail to anticipate or render obvious Claim 15, and as such, Claim 15 overcomes the rejection under 35 U.S.C. 103(a), and Applicants assert this claim is in condition for allowance. Accordingly, the Applicants also respectfully assert that Joshi does not anticipate or render obvious the embodiments of the claimed invention as recited in Claims 16-20 dependent on Claim 15, and that Claims 16-20 overcome the rejection under 35 U.S.C. 102(e) through dependency on an allowable base claim.

Claims 3-10, 13, 14 and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joshi in view of Hsuing and further in view of Stephen Quality Software – Datalyzer Spectrum (hereinafter Stephen). Applicants have reviewed the cited references, and respectfully assert that the embodiments of the present invention as recited in Claims 3-10, 13, 14 and 17-20 are neither anticipated nor rendered obvious by the Joshi, Hsuing nor Stephen references, either alone or together in combination.

The present Office Action alleges the Joshi and Hsuing reference disclose a six sigma enabled web-based business intelligence system. As argued above, Applicants respectfully re-assert the Joshi and Hsuing references do not teach, suggest nor render

obvious the present Claimed invention as recited in independent Claims 1, 11 and/or 15.

The present Office Action acknowledges the Joshi and Hsuing references fail to teach overlaying on a histogram an indicator of a statistical mean and an indicator of a user specified target limit. Applicants respectfully assert the Stephen reference does not overcome these and other shortcomings of the Joshi and Hsuing references.

To the extent the Stephen reference shows several software statistical analysis suites; see e.g., paragraphs 3, 4, and 5 of Stephen, Applicants respectfully assert the Stephen does not teach in response to a user request to a web site... transferring an electronic document to said user, wherein said electronic document allows said user to select a performance measure to be analyzed...; in response to a request from said user, performing a statistical analysis of said performance measure, and transferring an electronic copy of said statistical analysis to said user.

Further, Stephen is silent with regard to connecting any other computer system or systems to the platform running the software of Stephen. To the extent the Stephen reference may mention a stand alone system Applicants respectfully assert the Stephen reference teaches away from the claimed embodiments of the present invention.

Claim 13 and 14

To the extent the Stephen reference may show several software statistical analysis suites; see e.g., paragraphs 3, 4, and 5 of Stephen, Applicants respectfully assert the Stephen reference does not teach a computer system operable to access said database, to perform a statistical analysis of said business data, to receive user-generated requests via the Internet for execution of a user-defined statistical analysis of a user selected performance measure, to deliver a Hyper-Text Markup Language document via the Internet to an Internet ... wherein said Hyper-Text Markup Language document contains a graphical display of said statistical analysis such that the statistical variance of said user selected performance measure is viewable as a web-page.

Claims 17 – 20


To the extent the Stephen reference may show several software statistical analysis suites; see e.g., paragraphs 3, 4, and 5 of the Stephen reference, Applicants respectfully assert the Stephen reference does not teach in response to a user-generated request received from a peripheral computer system, a host computer system transferring an electronic document to said peripheral computer system, wherein said electronic document has selectable fields for a plurality of dimensions to select a data set accessible by said host computer system.

Conclusion

In view of the foregoing remarks, the Applicants respectfully assert that the pending claims in the instant patent application are in condition for allowance. The Applicants respectfully request reconsideration of the Application and allowance of the pending claims. If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact the Applicants' designated representative at the below listed phone number.

Respectfully submitted,
WAGNER, MURABITO & HAO LLP

Dated: 1/12/ 2007


John F. Ryan
Registration No. 47,050

Address: WAGNER, MURABITO & HAO LLP
Two North Market Street
Third Floor
San Jose, California 95113

Telephone: (408) 938-9060 Voice
(408) 938-9069 Facsimile